IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 8835 of 2005

Between:

1 Mohd. Zaheer Ahmed S/o. Mohd. Khasim
R/o. Mancherial, Mancherial Mandal, Adilabad District.
2 Smt. Gaffurunnisa Begum W/o. Moh. Zaheer Ahmed
R/o. Mancherial (Mandal) Adilabad District.

..... PETITIONERS

AND

1 Government of Andhra Pradesh, Rep. by its Principal Secretary,

Revenue Department,
Secretariat, Hyderabad.
2 Inspector General, Registration and Stamps,

Government of Andhra Pradesh, at Hyderabad.
3 Sub Registrar, Mancherial, Adilabad District.
4 The District Registrar, Adilabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any appropriate writ, Order or direction preferably a writ in the nature of writ of Mandamus, declaring the action of the 3rd Respondent in not registering and returning the document with Doct.No. P.29/2004 dt. 2-9-2004 and consequently direct the 3rd and 4th respondents to forthwith register and return the document under the said Doct. number submitted to the 3rd respondent on 2-9-2004 and pass such other order or orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

Counsel for the Petitioners: MR.V.SUBRAHMANYAM

Counsel for the Respondents: GP FOR REVENUE

The Court at the admission stage made the following :

ORDER:

This writ petition is filed aggrieved by the inaction on the part of the third respondent in registering the document bearing No.P.29/2004 dated 02.09.2004 presented by the petitioners for registration and keeping it pending without passing any order.

As can be seen from the material on record, a notice was served on the petitioners in the month of September, 2004, stating that the document was kept pending in the office for want of certain clarifications from the District Registrar, Adilabad.

The grievance of the petitioners that after issuing the said notice, the respondents have not informed them either with regard to any objection for registering the document nor the document was registered and released.

I have heard learned counsel for the petitioners and the learned Government Pleader for Revenue appearing for the respondents.

The law is well settled that whenever a document is presented for registration, the registering authority is bound to process the same and register the same in accordance with law. If there is any objection for registering the document, it is always open to the registering authority to raise all the objections. However, the same shall be communicated to the petitioners. Admittedly, no such procedure has been followed by the respondents.

Therefore, the writ petition is disposed of with a direction to the respondents to process the document presented by the petitioners and to take necessary steps in accordance with law. It is made clear that in case there is any objection for registering the document, the same shall be communicated to the petitioners within a period of two weeks from the date of receipt of this order.

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20.04.2005

Note : Furnish C.C., in three days.

(B/O)

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To

1 The Principal Secretary, Government of Andhra Pradesh,

Revenue Department,
Secretariat, Hyderabad.

2 Inspector General, Registration and Stamps,

Government of Andhra Pradesh, at Hyderabad.

3 Sub Registrar, Mancherial, Adilabad District.

4 The District Registrar, Adilabad.

5 Two CCs to the G.P for Revenue, High Court of A.P.,

Hyderabad(O.U.T).

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